

DUPLICATE
RECEIVED

Federal Communications Commission
Office of the Secretary

WROW-AM-FM, Albany, NY
WSEN-AM-FM, Baldwinsville, NY
WBNR-AM, Beacon, and WSPK-FM, Poughkeepsie, NY
WYRK-FM, Buffalo, NY
WHCU-AM and WYXL-FM, Ithaca, NY
WGHQ-AM and WBPM-FM, Kingston, NY
WLVL-AM, Lockport, NY
WABC-AM, New York, NY
WZSH-FM, S. Bristol Township, NY
WFAS-AM-FM, White Plains, NY

PETITION TO DENY

SUMMARY

1/ Owing to the large number of stations against which
Petitioners are compelled to litigate, and thus the large
amount of paper being generated, Petitioners respectfully request
waiver of \$1.49 of the Commission's Rules (double-spaced pleadings)
in order to conserve expenditures for all concerned. Attached to
this Petition are supportive declarations of each of the respective
~~branch presidents from each station asking for this relief.~~

BACKGROUND

The filing of this petition is the result of a study by Petitioners of the 1984-1990 EEO performance and 1991 renewal applications of all radio stations in New York and New Jersey. That study identified the stations subject to this petition as having had no more than token employment of Blacks and other minorities during the license term. These stations do not appear to be operating under meaningful EEO programs, nor have the stations proposed meaningful EEO programs for the coming 1991-1998 renewal term.

It is well established that the Commission cannot grant a license renewal application without further investigation if it lacks sufficient facts to determine that renewal would serve the public interest. In the leading case setting out the requirements for Commission review of serious allegations of violations by licensees of its EEO Rule, 47 CFR §73.2080, Bilingual-Bicultural Coalition on the Mass Media v. FCC, 595 F.2d 621, 629-630 (D.C. Cir. 1978), the court explained:

[e]vidence of substantial statistical disparity - evidence that a licensee's minority employment is outside the "zone of reasonableness" - while it may not in itself necessarily require resolution at a hearing, should at least put the FCC on notice that more information is required before the license renewal application can be granted. This is because a substantial statistical disparity, especially when coupled with a languishing affirmative action plan, raises questions as to whether the station's poor EEO performance owes to inadvertence, or to intentional discrimination. (fns. omitted; emphasis in original.)

Such an inquiry should be conducted even if the statistical record reveals operation falling barely above the rule of thumb working definition of the "zone of reasonableness," since this "zone" is expected to contract over time. 2/

2/ Los Angeles Women's Coalition for Better Broadcasting v. FCC, 584 F.2d 1089 (D.C. Cir. 1978). Thus, what was reasonable in the 1980-1982 renewal period cannot be deemed reasonable now, since each licensee is expected to resolutely and deliberately improve the representation of minorities on its staff with the ultimate goal of attaining parity with the representation of minorities in the workforce of the surrounding community. The Commission has determined that the 50% of parity guideline is not a "safe harbor" but instead is only an administrative tool. Florida Renewals, 3 FCC Rcd 1930 (1988); Broadcast EEO, 2 FCC Rcd 3967, 3974 (1987).

Petitioners to deny are to be fully involved in this inquiry. The procedure to be followed, as directed by the Bilingual court, supra at 634, is that

[t]he full report of the Commission's investigation, including all evidence it receives, must be placed in the public record, and a reasonable time allowed for response and rebuttal by petitioners.

The following discussion will focus on the factual record contained in the annual employment reports, and the EEO programs as proposed for the 1991-1998 renewal term. 3/

3/ All employment statistics contained in this petition are derived from the FCC Form 395s submitted by the licensees to the Commission and covering a reporting week in March of the relevant year. The percentages of minority representation in the respective markets (counties, or MSAs if located in an MSA) are as follows: Albany: 5.0%; Baldwinsville: 6.2%; Beacon and Poughkeepsie: 9.0%; Buffalo and Lockport: 9.4%; Ithaca: 5.7%; Kingston: 6.2%; New York City and White Plains: 39.3%; S. Bristol Township: 9.5%.

Petitioners note that these statistics are based on workforce data which, in turn, is based on the 1980 Census. Generally, statistics based on the 1991 Census will reflect higher minority representation. When 1991 Census data is available, it should be used by the Commission to analyze this petition.

As used herein, "top-four job categories" refers to officials and managers, professionals, technicians and salespersons as reported on FCC Form 395. "Parity" refers to the level of minority employment which, as a percentage of the station's top-four category or total fulltime employment, would equal the percentage of minorities in the MSA workforce.

WROW-AM-FM, Albany, NY

WROW-AM and WROW-FM have been owned and operated by Radio Terrace of Albany, Inc. since November, 1987. The stations' record of fulltime minority employment since 1988 is reflected in the following table.

Table 1. Minority Employment at WROW-AM-FM, 1988-1990

<u>Month and Year</u>	<u>#Mins./#Empls., Top 4 Categs.</u>	<u>#Mins./#Empls., Total Fulltime</u>	<u>% of Parity, Top 4 Categs.</u>	<u>% of Parity, Total Fulltime</u>
1990	0/19	1/22	0%	91%
1989	0/18	0/21	0%	0%
1988	0/21	0/24	0%	0%

In neither 1989 nor 1990 did the stations employ parttime minority persons. In those years, the stations reported nine and ten parttime employees respectively.

The 1987 application proposing assignment of the licenses to Radio Terrace involved contact with three minority organizations.

Accordingly, the Commission should undertake a Bilingual investigation to determine whether the stations' questionable EEO program, coupled with the stations' failure to report the employment of any fulltime top four category minorities throughout the license term, are indicative of a deliberate violation of the EEO Rules of Discrimination

Nonetheless, no changes in EEO procedures were proposed in the 1991 renewal application. That program attempts to blame the station's poor minority hiring record on the fact that the station is 20 miles from downtown Syracuse and is thus a "genuine commute." The Commission has repeatedly rejected this hollow argument. See, eg., Miami Renewals, 5 FCC Rcd 4893, 4898 (1990). In 1991, nearly everyone commutes to work.

Accordingly, the Commission should undertake a Bilingual investigation to determine whether the stations' questionable EEO program, coupled with the stations' failure to report the employment of more than a token number of minorities throughout the license term, are indicative of a deliberate violation of the EEO Rule or of discrimination.

WBNR-AM, Beacon, and WSPK-FM, Poughkeepsie, NY

WBNR-AM and WSPK-FM have been owned and operated by Beacon Broadcasting Corp. since June, 1967. The stations' record of fulltime minority employment since 1984 is reflected in the following table.

Table 3. Minority Employment at WBNR/WSPK, 1984-1990

<u>Month and Year</u>	<u>#Mins./#Empls., Top 4 Categs.</u>	<u>#Mins./#Empls., Total Fulltime</u>	<u>% of Parity, Top 4 Categs.</u>	<u>% of Parity, Total Fulltime</u>
1990	0/23	0/28	0%	0%
1989	0/23	0/27	0%	0%
1988	0/21	0/25	0%	0%
1987	0/24	0/28	0%	0%
1986	1/25	1/30	44%	37%
1985	0/24	0/27	0%	0%
1984	data not available			

The 1984 EEO program reflected and proposed contact with six minority organizations and a minority newspaper. That program recognized that aggressive steps were necessary in order to attract minority applicants. The program noted that none of the previous 17 persons hired were minorities, and manifested that the stations were "expanding our recruitment sources to encourage more minorities and women to apply for employment[.]"

The licensee apparently filed its promises away after the

While the licensee apparently did refer openings to some of its recruitment sources, the recruitment data reported in the 1991 application may be suspect. It is almost inconceivable that eighteen minorities were referred from the Poughkeepsie Journal (or any nonminority daily newspaper) in a year. It further seems unusual, at least, that the licensee would report three minorities hired in 1990 when its 1990 Form 395 reported the employment of no minorities.

In any case, such 11th hour hiring would neither be reflective nor predictive of normal license term operation. See NBMC v. FCC, 775 F.2d 342 (D.C. Cir. 1985).

Accordingly, the Commission should undertake a Bilingual investigation to determine whether the stations' questionable EEO program, coupled with the stations' failure to report the employment of more than a handful of minorities throughout the license term are indicative of a deliberate violation of the EEO

The station's listed recruitment sources -- largely a daily newspaper and two overwhelmingly nonminority colleges -- cumulatively produced 62 female applicants. Conservatively assuming that half of all job applicants were women, the stations would have generated approximately 124 job applications from all of its sources, of whom two (1.6%) were from minorities. This figure is much lower than the representation of minorities in the workforce. The actual composition of the stations' hiring pool, which would take into account the overwhelmingly nonminority male group of walk-ins and respondents to trade publication advertising, is undoubtedly even less inclusive of minorities. This suggests that the stations' recruitment efforts are insufficient to produce a hiring pool whose composition facilitates affirmative action.

The licensee failed to recognize that its EEO program suffers any deficiency. It proposed no corrective steps and offered not even an explanatory narrative. Without Commission intervention, the public is certain to receive seven more years of the same EEO noncompliance it witnessed from 1984-1990.

Accordingly, the Commission should undertake a Bilingual investigation to determine whether the station's questionable EEO program, coupled with the station's failure to report the employment of more than a token number of minorities throughout the license term, are indicative of a deliberate violation of the EEO Rule or of discrimination.

WHCU-AM and WYXL-FM, Ithaca, NY

WHCU-AM and WYXL-FM have been owned and operated by Eagle Broadcasting Company since May, 1986. The stations' record of fulltime minority employment since 1987 is reflected in the following table.

Table 5. Minority Employment at WHCU/WYXL, 1987-1990

<u>Month and Year</u>	<u>#Mins./#Empls., Top 4 Cateqs.</u>	<u>#Mins./#Empls., Total Fulltime</u>	<u>% of Parity, Top 4 Cateqs.</u>	<u>% of Parity, Total Fulltime</u>
1990	0/17	0/19	0%	0%
1989	0/21	0/22	0%	0%
1988	1/19	1/20	92%	88%
1987	data not available			

These stations did not report a parttime minority employee during the period 1988-1990. In each of the years 1988-1990, the stations reported between one and four parttime employees.

These stations filed their renewal applications on March 21, nearly two months late. After several unsuccessful attempts to obtain a copy from the Commission's files, a copy finally turned up about one week ago, seriously prejudicing Petitioners in their effort to carefully review all of the state's renewal applications. 5/

Filing the application on time was not the only obligation this licensee neglected: it apparently also neglected all of the significant promises made in its 1986 assignment applications. Those applications promised contact with two Black organizations, and promised an internship program. The 1987 renewal applications

Table 6. Minority Employment at WGHQ/WBPM, 1984-1990

<u>Month and Year</u>	<u>#Mins./#Empls., Top 4 Categs.</u>	<u>#Mins./#Empls., Total Fulltime</u>	<u>% of Parity, Top 4 Categs.</u>	<u>% of Parity, Total Fulltime</u>
1990	0/18	1/20	0%	81%
1989	0/22	1/23	0%	70%
1988	0/22	1/24	0%	67%
1987	0/20	1/23	0%	70%
1986	0/19	0/22	0%	0%
1985	0/16	0/20	0%	0%
1984	0/17	0/21	0%	0%

Moreover, these stations did not report any parttime minority employees during the years 1984-1988. In each of those years, the stations reported between eleven and fourteen parttime employees.

The 1984 renewal applications reported the use of only two minority organizations for referrals. The 1991 renewal applications reported the use of only one minority organization, and only three minority referrals from all sources combined (largely trade publications). The licensee did not represent that it referred all job openings to its recruitment sources. Nor did it propose any steps to remedy its consistently poor EEO performance.

Accordingly, the Commission should undertake a Bilingual investigation to determine whether the stations' questionable EEO program, coupled with the stations' failure to report the employment of more than a token number of minorities throughout the license term, are indicative of a deliberate violation of the EEO Rule or of discrimination.

WLVL-AM, Lockport, NY

WLVL-AM has been owned and operated by Culver Communications Corporation since September, 1981. The station's record of fulltime minority employment since 1984 is reflected in the following table.

Table 7. Minority Employment at WLVL-AM, 1984-1990

<u>Month</u> <u>and</u> <u>Year</u>	<u>#Mins./#Empls.,</u> <u>Top 4 Categs.</u>	<u>#Mins./#Empls.,</u> <u>Total Fulltime</u>	<u>% of</u> <u>Parity,</u> <u>Top 4</u> <u>Categs.</u>	<u>% of</u> <u>Parity,</u> <u>Total</u> <u>Fulltime</u>
1990	data not available			
1989	0/13	0/14	0%	0%
1988	0/12	0/13	0%	0%
1987	0/12	0/12	0%	0%
1986	0/10	0/10	0%	0%
1985	0/10	0/10	0%	0%
1984	0/11	0/11	0%	0%

Moreover, this station reported no parttime minority employee in any year for which data was available. In each of these years, the station reported between three and nine parttime employees.

The 1991 renewal application erroneously proposes the use of county workforce data, although Lockport is well within the Buffalo MSA (being 22 miles from downtown Buffalo). This has the effect of allowing the station to evaluate itself against a lower minority workforce percentage than that for the workforce actually available to it for recruitment purposes.

The 1991 application neither reflects nor proposes contact with any minority organizations. No minorities were hired in 1990. The application proposes no steps to remedy these glaring deficiencies.

The station's listed recruitment sources -- largely two newspapers -- cumulatively produced 33 female applicants. Conservatively assuming that half of all job applicants were women, the stations would have generated approximately 66 job applications from all of its sources, of whom one (1.5%) were from minorities. This figure is much lower than the representation of minorities in the workforce. The actual composition of the station's hiring pool, which would take into account the overwhelmingly nonminority male group of walk-ins and respondents to trade publication advertising, is undoubtedly even less inclusive of minorities. This suggests that the station's recruitment efforts are insufficient to produce a hiring pool whose composition facilitates affirmative action.

Accordingly, the Commission should undertake a Bilingual investigation to determine whether the station's questionable EEO program, coupled with the stations' failure to report the employment of any minorities throughout the license term, are indicative of a deliberate violation of the EEO Rule or of discrimination.

WNCN-FM, New York, NY

WNCN-FM has been owned and operated by GAF Broadcasting Company, Inc. ("GAF") since June, 1976. 6/ The station's record of fulltime minority employment since 1984 is reflected in the following table.

Table 8. Minority Employment at WNCN-FM, 1984-1990

<u>Month</u> <u>and</u> <u>Year</u>	<u>#Mins./#Empls.,</u> <u>Top 4 Cateqs.</u>	<u>#Mins./#Empls.,</u> <u>Total Fulltime</u>	<u>% of</u> <u>Parity,</u> <u>Top 4</u> <u>Cateqs.</u>	<u>% of</u> <u>Parity,</u> <u>Total</u> <u>Fulltime</u>
1990	4/24	8/28	42%	85%
1989	3/24	6/27	32%	57%
1988	2/19	7/24	27%	74%
1987	2/18	8/28	28%	85%
1986	3/20	5/24	38%	53%
1985	3/21	6/25	36%	61%
1984	3/20	6/24	38%	64%

It is important to recognize that this record is an aberration compared to all other radio stations licensed to New York City, none of whose renewal applications are being challenged herein. WNCN-FM's EEO performance has consistently been the poorest of all New York City licensees. Highly skilled, qualified minorities are very easy to recruit and hire in New York City. Because New York City is the broadcasting capital of the world, there are far more well qualified potential broadcast employees than the industry can accommodate.

6/ Ownership of GAF shifted to GAF's management and some of its employees in March, 1989. Thus, many or most of the same persons responsible for the 1976-1989 EEO performance of WNCN-FM remain responsible (albeit more directly so, as owners) now. Furthermore, no significant changes in EEO performance were proposed in the 1988 Form 315 application. Therefore, for EEO compliance purposes, including consideration of whether GAF's present owners had notice of the Commission's 1978 action assigning EEO conditions to WNCN-FM (discussed below), the station's

The EEO program GAF proposed in October, 1975 promised the use of a "Skills Inventory System", a computerized data bank enabling the company to track minority and female applicants. Occasional use of two minority newspapers and two minority organizations was also promised. The January, 1978 EEO program made no mention of the "Skills Inventory System"; it reflected actual use in the preceding year of only one minority organization and no minority media. It showed that only one of six hires (a parttime person) was a minority. The 1978 application was granted subject to EEO reporting conditions. Letter of William Tricarico to Robert E. Richer, December 21, 1978 (by direction of full Commission, approved at open meeting.)

The 1981 renewal application could not be found in the National Archives and the 1984 renewal application could not be found in the Commission's files. The 1988 assignment application proposed only one minority recruitment source, the New York Urban League, and no minority media or educational institutions. 7/ The 1991 renewal application documented EEO nonperformance almost identical to that which led to the 1978 reporting conditions. The application listed only two minority organizations and two minority newspapers as referral sources. It documented no referrals from any of them, and made no representation that these entities received word of each job opening.

In 1990, all sources combined yielded only four minority applicants, and no minorities were hired for any of six vacancies.

Apparently The New York Times is the station's primary source of referrals; 20 female (and no minority) candidates came from the Times. The station's listed recruitment sources cumulatively produced 27 female applicants. Conservatively assuming that half of all job applicants were women, the station would have generated approximately 54 job applications from these sources, of whom four (7.4%) were from minorities. This figure is much lower than the representation of minorities in the workforce. The actual composition of the station's hiring pool, which would take into account the overwhelmingly nonminority male group of walk-ins and respondents to trade publication advertising, is undoubtedly even less inclusive of minorities. This suggests that the station's recruitment efforts are insufficient to produce a hiring pool whose composition facilitates affirmative action.

Accordingly, the Commission should undertake a Bilingual investigation to determine whether the station's questionable EEO program, coupled with the station's failure to report the employment of more than a token number of minorities throughout the license term, are indicative of a deliberate violation of the EEO Rule or of discrimination.

7/ With the benefit of hindsight, this application should never have been granted. However, the fact that it was granted, apparently routinely, does not validate the adequacy of the 1988 EEO Program. See Clyde W. Pierce, 4 FCC Rcd 2378 (1989); Kent S. Foster, 54 FCC Rcd 1700, 1701-02 (Mobile Services Division, 1990).

WZSH-FM, S. Bristol Township, NY

WZSH-FM has been owned and operated by The Great Lakes Wireless Talking Machine Company since July, 1986. The station's record of fulltime minority employment since 1987 is reflected in the following table.

Table 9. Minority Employment at WZSH-FM, 1987-1990

<u>Month and Year</u>	<u>#Mins./#Empls., Top 4 Categs.</u>	<u>#Mins./#Empls., Total Fulltime</u>	<u>% of Parity, Top 4 Categs.</u>	<u>% of Parity, Total Fulltime</u>
1990	1/15	1/16	70%	66%
1989	0/14	0/15	0%	0%
1988	0/16	0/17	0%	0%
1987	0/16	0/17	0%	0%

Moreover, in no year did this station report a parttime minority employee. In each of the reporting years, the station reported between seven and eleven parttime employees.

The 1986 assignment application was unavailable at the Commission. The 1991 renewal application reflects only two minority referrals from all sources combined. While it lists five minority organizations as referral sources, there is no indication that any job openings were referred to those sources or that any candidates were referred from those sources.

The station's listed recruitment sources cumulatively produced 32 female applicants. Conservatively assuming that half of all job applicants were women, the stations would have generated approximately 64 job applications from these sources, of whom two (3.1%) were from minorities. This figure is much lower than the representation of minorities in the workforce. The actual composition of the station's hiring pool, which would take into account the overwhelmingly nonminority male group of walk-ins and respondents to trade publication advertising, is undoubtedly even less inclusive of minorities. This suggests that the station's recruitment efforts are insufficient to produce a hiring pool whose composition facilitates affirmative action.

Accordingly, the Commission should undertake a Bilingual investigation to determine whether the station's questionable EEO program, coupled with the station's failure to report the employment of more than a token number of minorities throughout the license term, are indicative of a deliberate violation of the EEO Rule or of discrimination.

WFAS-AM-FM, White Plains, NY

WFAS-AM and WFAS-FM have been owned and operated by CRB of Westchester, Inc. since September, 1986. The stations' record of fulltime minority employment since 1987 is reflected in the following table.

Table 10. Minority Employment at WFAS-AM-FM, 1987-1990

Month and Year	<u>#Mins./#Empls., Top 4 Categs.</u>	<u>#Mins./#Empls., Total Fulltime</u>	<u>% of Parity, Top 4 Categs.</u>	<u>% of Parity, Total Fulltime</u>
1990	1/31	4/36	8%	28%
1989	1/34	1/38	7%	7%
1988	1/37	1/41	7%	6%
1987	3/34	4/36	22%	28%

In 1986, the last full year in which the stations were owned by a previous licensee, they reported four fulltime minority employees in the top four job categories (out of a total of 33 such persons). In less than two years of ownership by CRB, this number had dropped to one, where it stayed.

A record such as that set out above is truly an anachronism. Highly skilled, qualified minorities are very easy to recruit and hire in New York City. Because New York City is the broadcasting capital of the world, there are far more well qualified potential broadcast employees than the industry can accommodate. "Suburban" stations ought to have no difficulty attracting highly skilled minority job candidates.

This is an unusual case. If it is accurate, the 1991 EEO program would be among the most effective Petitioners have ever seen. It seems too good to be true, and Petitioners frankly doubt its accuracy.

First, the program reported the hiring of six minorities in the top four job categories in 1990, a year in which the stations' Form 395 only reported one such person.

Second, the stations reported that they promoted two minorities in top four category positions, when their 1990 Form 395 only reported one minority in such a position.

Third, the licensee claimed that it received 34 minority applicants from the local daily newspapers and ten from "Radio and Records" but only 27 women and eight women, respectively, from the local newspapers and Radio & Records. Petitioners have never heard of a local daily newspaper which generates this many minority applicants -- nearly as many, if the data are to be believed, as were generated from Radio and Records.

Accordingly, the Commission should undertake a Bilingual investigation to determine whether the stations' questionable EEO program, coupled with the stations' failure to report the employment of more than a token number of minorities throughout the license term, are indicative of a deliberate violation of the EEO Rule or of discrimination.

Conclusion

For the foregoing reasons, the Commission should initiate Bilingual investigations of the above referenced stations. If the evidence thereby elicited so requires, the Commission should designate the applications for hearing and thereafter deny the applications.

Respectfully submitted,

Everald Thompson/dh

Dennis Courtland Hayes

General Counsel

Everald Thompson

Assistant General Counsel

NAACP

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Baltimore, Maryland 21215

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Miami, Florida 33056

(305) 628-3600

Counsel for Petitioners

May 1, 1991

DECLARATION

Re: NAACP Petition To Deny License Renewal of
Radio Station WROW-AM/FM in Albany, New York

I hereby subscribe to the foregoing Petition To Deny.
The facts stated therein are true to my personal knowledge
except where identified as having been based upon official
records such as statistical data and material on file with
the Federal Communications Commission.

I am a regular listener to the station.

I would be seriously aggrieved if the Petition to
Deny is not granted, since members of the NAACP, including
myself, would be deprived of job opportunities and program
service in the public interest.

This statement is true to my personal knowledge and
is made under penalty of perjury under the laws of the
United States of America.



Anne Pope
President
Albany Branch of the NAACP

Dated: 4/30/91

DECLARATION

Re: NAACP Petition To Deny License Renewal of
Radio Station WSEN-AM/FM in Baldwinsville,
New York

I hereby subscribe to the foregoing Petition To Deny.
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DECLARATION

Re: NAACP Petition To Deny License Renewal of
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Re: NAACP Petition To Deny License Renewal of
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 Poughkeepsie, New York

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This statement is true to my personal knowledge and is made under penalty of perjury under the laws of the United States of America.

Rev. Wallace Porter
Rev. Wallace Porter
President
North Dutchess County Branch
of the NAACP

Dated: 4-30-91

04-24-1991 16:17

DECLARATION

Re: NAACP Petition To Deny License Renewal of
Radio Station WYRK-FM in Buffalo, New York

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DECLARATION

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Radio Station WHCU-AM and WYXL-FM in Ithaca,
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is made under penalty of perjury under the laws of the
United States of America.

Gwen Webber McLeod
Gwen Webber McLeod
President
Auburn Branch of the NAACP

4/Cayuga

Dated: 4-30-91

DECLARATION


Re: NAACP Petition To Deny License Renewal of
Radio Station WGHQ-AM and WBPM-FM in
Kingston, New York

I hereby subscribe to the foregoing Petition To Deny.
The facts stated therein are true to my personal knowledge
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records such as statistical data and material on file with
the Federal Communications Commission.

I am a regular listener to the station.

I would be seriously aggrieved if the Petition to
Deny is not granted, since members of the NAACP, including
myself, would be deprived of job opportunities and program
service in the public interest.

This statement is true to my personal knowledge and
is made under penalty of perjury under the laws of the
United States of America.


Albert Cook
President
Kingston Branch of the NAACP

Dated: 4/29/91

DECLARATION

Re: NAACP Petition To Deny License Renewal of
Radio Station WLVL-AM in Lockport, New York

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This statement is true to my personal knowledge and is made under penalty of perjury under the laws of the

DECLARATION

Re: NAACP Petition To Deny License Renewal of
Radio Station WNCN-FM in New York, New York

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I would be seriously aggrieved if the Petition to Deny is not granted, since members of the NAACP, including myself, would be deprived of job opportunities and program service in the public interest.

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Annie B. Morton
Ms. Annie B. Morton
President
New York Branch of the NAACP

Dated: April 30, 1991